



# Journal of the House

State of Indiana

119th General Assembly

First Regular Session

Thirteenth Day

Monday Afternoon

February 2, 2015

The invocation was offered by Pastor Jerry Ross of Blessed Hope Baptist Church in Jacksonville, a guest of Representative Bruce Borders.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Bruce Borders.

The Speaker ordered the roll of the House to be called:

Arnold	Klinker
Austin	Koch
Aylesworth	Lawson <input type="checkbox"/>
Bacon	Lehe
Baird	Lehman
Bartlett	Leonard
Bauer	Lucas
Behning	Macer
Beumer	Mahan
Borders	Mayfield
Braun	McMillin
C. Brown <input type="checkbox"/>	McNamara
T. Brown	D. Miller
Burton	Moed
Carbaugh	Morris <input type="checkbox"/>
Cherry	Morrison
Clere	Moseley
Cook	Negele
Cox	Niezgodski
Culver	Nisly <input type="checkbox"/>
Davisson	Ober
DeLaney	Olthoff
Dermody	Pelath
DeVon	Pierce
Dvorak <input type="checkbox"/>	Porter
Eberhart	Price
Errington	Pryor
Fine	Rhoads
Forestal	Richardson
Friend	Riecken
Frizzell	Saunders
Frye	Schaibley
GiaQuinta	Shackleford
Goodin	Slager
Gutwein	Smaltz
Hale	M. Smith
Hamm	V. Smith
Harman	Soliday
Harris	Speedy <input type="checkbox"/>
Heaton	Stemler
Huston	Steuerwald
Judy	Sullivan
Karickhoff	Summers
Kersey	Thompson
Kirchhofer	Torr

Truitt  
Ubelhor  
VanNatter  
Washburne  
Wesco

Wolkins  
Wright  
Zent  
Ziemke  
Mr. Speaker

Roll Call 50: 93 present; 6 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

## HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, February 3, 2015, at 1:30 p.m.

## STEUERWALD

The motion was adopted by a constitutional majority.

Representative Nisly, who had been excused, is now present.

## RESOLUTIONS ON FIRST READING

### House Resolution 8

Representative Rhoads introduced House Resolution 8:

A HOUSE RESOLUTION commending the nation of Israel for its cordial and mutually beneficial relationship with the United States and the State of Indiana.

*Whereas, Israel has been granted her lands under and through the oldest recorded deed, as recorded in the Old Testament, a book of scripture held sacred and revered by Jews and Christians alike, as presenting the acts and words of God;*

*Whereas, The claim and presence of the Jewish people in Israel has remained constant throughout the past 4,000 years of history;*

*Whereas, The legal basis for the establishment of the modern State of Israel was a binding act of international law established in the San Remo Resolution, which was unanimously adopted by the League of Nations in 1922 and subsequently affirmed by both houses of the United States Congress;*

*Whereas, This resolution affirmed the establishment of a national home for the Jewish people in the historical region of the Land of Israel, including the areas of Judea, Samaria, and Jerusalem;*

*Whereas, Article 80 of the United Nations charter recognized the continued validity of the rights granted to states or peoples which already existed under international instruments, and, therefore, the 1922 League of Nations resolution remains valid, and the 650,000 Jews currently residing in the areas of Judea, Samaria, and eastern Jerusalem reside there legitimately;*

*Whereas, Israel declared its independence and self-governance on May 14, 1948, with the goal of reestablishing its God-given and legally recognized lands as a homeland for the Jewish people;*

*Whereas, The United States, having been the first country to recognize Israel as an independent nation and as Israel's principal ally, has enjoyed a close and mutually beneficial relationship with Israel and her people;*

*Whereas, Israel is the greatest friend and ally of the United States in the Middle East, and the values of our two nations are so intertwined that it is impossible to separate one from the other;*

*Whereas, There are those in the Middle East who have continually sought to destroy Israel, from the time of its inception as a state, and those same enemies of Israel also hate, and seek to destroy, the United States; and*

*Whereas, The State of Indiana and Israel have enjoyed cordial and mutually beneficial relations since 1948, a friendship that continues to strengthen with each passing year: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives commends Israel for its cordial and mutually beneficial relationship with the United States and with the State of Indiana and supports Israel in its legal, historical, moral, and God-given right of self-governance and self-defense upon the entirety of its own lands, recognizing that Israel is neither an attacking force nor an occupier of the lands of others, and that peace can be afforded the region only through a whole and united Israel.

The resolution was read a first time and adopted by voice vote.

#### **House Resolution 9**

Representative Torr introduced House Resolution 9:

A HOUSE RESOLUTION congratulating Carmel Clay Parks and Recreation.

*Whereas, At the National Recreation and Park Association's Annual Congress on October 14, 2014, Carmel Clay Parks and Recreation was selected as the 2014 recipient of the National Gold Medal Award for Class III (Population 75,001 to 150,000), presented by the American Academy for Park and Recreation Administration;*

*Whereas, The purpose of the National Gold Medal Award is to recognize and honor the nation's outstanding parks and recreation agencies for excellence in the field of parks and recreation management, with only one agency receiving the award per population class;*

*Whereas, A panel of five esteemed judges, chosen for their considerable experience and knowledge in parks and recreation on both the local and national levels, selected Carmel Clay Parks and Recreation for this prestigious award for its strong community support, outstanding amenities, innovative staff, and entrepreneurial approach to managing public services;*

*Whereas, Carmel Clay Parks and Recreation is one of only four parks and recreation systems in Indiana to win the National Gold Medal Award since its inception in 1965, joining the elite company of Fort Wayne (1980), Columbus (1995), and Bloomington (2007);*

*Whereas, Carmel Clay Parks and Recreation also received Agency Accreditation from the Commission for Accreditation of Park and Recreation Agencies, demonstrating its commitment to the parks and recreation field through compliance with a body of best management standards deemed essential to the quality of services delivered and the professionalism of its operations;*

*Whereas, As one of only 140 currently accredited parks and recreation agencies in the United States, Carmel Clay Parks and Recreation further distinguishes itself as one of the nation's best managed parks and recreation systems;*

*Whereas, The Carmel Clay Board of Parks and Recreation, Director of Parks and Recreation Mark Westermeier, and Chief Operating Officer Michael Klitzing deserve special accolades for leading Carmel Clay Parks and Recreation to the two highest national honors for parks and recreation systems; and*

*Whereas, It is fitting that the accomplishments of Carmel Clay Parks and Recreation be given additional recognition: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives congratulates Carmel Clay Parks and Recreation on winning the 2014 National Gold Medal Award for Excellence in Park and Recreation Management and achieving agency accreditation and urges this parks and recreation system to continue striving for excellence in serving its community.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Park Board President James Engledow, Director Mark Westermeier, and Chief Operating Officer Michael Klitzing.

The resolution was read a first time and adopted by voice vote.

#### **House Resolution 11**

Representatives Pryor, Summers, Porter, Shackelford and Goodin introduced House Resolution 11:

A HOUSE RESOLUTION recognizing the Indianapolis Chapter of Jack and Jill of America, Inc.

*Whereas, The late Marion Stubbs Thomas founded Jack and Jill of America, Inc. on January 24, 1938, in Philadelphia, Pennsylvania;*

*Whereas, Twenty mothers came together to discuss creating an organization to provide social, cultural, and educational opportunities for African American youth between the ages of two and 19;*

*Whereas, In 1946, 10 chapters were involved in the national restructuring process, whereby a constitution and bylaws were drawn up and the organization was incorporated under the laws of Delaware;*

*Whereas, The Indianapolis Provisional Chapter of Jack and Jill of America held its first organized meeting on April 3, 1951, at the home of acting chairman Mrs. Mary Hawkins;*

*Whereas, Dr. Alberta Turner, assisted by Mrs. Miriam Fountain of Pittsburgh, who sponsored the Indianapolis Chapter, installed the provisional chapter at a regular chapter meeting on September 8, 1951, at the residence of Dr. and Mrs. Fred Evans;*

*Whereas, The Indianapolis Chapter was the 33rd chapter of Jack and Jill of America, Inc. and the seventh chapter of the Midwestern Region;*

*Whereas, The first Executive Board included Mary Hawkins, President; Shirley Evans, Vice President; Ruby Leah Thomas, Recording Secretary; and Flora DeFrantz, Treasurer; other Charter members included Ruth Bell, Fannie Blackburn, Sarah Daniels, former Indiana State Legislator Dr. Daisy Lloyd, Margaret Mackey, Wilma Sims, and Osma Spurlock;*

*Whereas, Today the Indianapolis Chapter of Jack and Jill of America, Inc. boasts 75 wonderful and engaged mother members, 66 intelligent children, 53 future leaders who are teens, 68 active and supportive fathers, five active associate members, and 12 life members;*

*Whereas, Jack and Jill of America, Inc. has over 220 chapters nationwide, representing over 30,000 family members with each chapter engaged in annual programming activities guided under a national theme; and*

*Whereas, Jack and Jill of America, Inc. remains a viable, relevant organization for African American youth that stimulates positive growth and development through social, cultural, and educational opportunities: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives recognizes the Indianapolis Chapter of Jack and Jill of America, Inc. as a historic African American organization that continues to benefit African American youth in their social, cultural, and educational endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the Indianapolis Chapter of Jack and Jill of America, Inc.

The resolution was read a first time and adopted by voice vote. House Resolution

#### **House Resolution 12**

Representatives Lehe, Brown, T., Friend, Gutwein, Koch, Leonard, Negele, Ober, Saunders, Smaltz and Zent introduced House Resolution 12:

A HOUSE RESOLUTION honoring the 2014 Purdue University Livestock Judging Team.

*Whereas, Purdue University offers its students an opportunity to participate on a livestock judging team to enhance their decision making and communications skills, broaden their knowledge of animal production and performance records, learn from and meet industry leaders, and compete with other college students from across the country;*

*Whereas, While competing on a livestock judging team, Purdue team members learn to apply scientific principles of animal growth and composition, evaluation and selection of various species, and evaluation of breeding and market classes of beef cattle, swine, and sheep;*

*Whereas, Production data and environmental scenarios accompany the livestock classes that will advance the team's working knowledge of the industry and production situations;*

*Whereas, Livestock judging competitions are designed to challenge the students and determine what knowledge and communication skills they have;*

*Whereas, These competitions consist of classes of animals that contestants and official committee members place; students' placings are then compared to the officials' placings and scored based on the cut system;*

*Whereas, Each student then defends his or her decisions by presenting his or her "oral reasons" on the classes, with the most convincing and accurate students receiving the highest scores;*

*Whereas, The 2014 Purdue University Livestock Judging Team earned the National Champion honors during the competition held at the North American International Livestock Exposition held in Louisville, Kentucky; and*

*Whereas, Participation in the Purdue University Livestock Judging Team helps the team members to develop their*

*confidence in their ability to make logical decisions and communicate with their peers in the business world: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives congratulates the 2014 Purdue University Livestock Judging Team on its National Championship honor and wishes the team continued success in all its future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives transmit copies of this resolution to team members Andrew Huffman, Alex Hegg, Isaak Mersch, Brennen North, Breanna Lawyer, Callie Edie, Logan Rinehold, Mark DeGolyer, Charlie Huelsenbeck and Josh Streitmatter and coach Matt Claeys.

The resolution was read a first time and adopted by voice vote.

#### **House Concurrent Resolution 14**

Representatives Ubelhor, Heaton and Davisson introduced House Concurrent Resolution 14:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename a portion of State Road 56 from Haysville to Paoli the "William Alfred 'Bill' Cook Highway" in memory of William Alfred "Bill" Cook and to honor his many contributions to the state of Indiana and the world.

*Whereas, Graduating from Northwestern University with a degree in Biology, Bill Cook had planned to go on to medical school but was drafted into the Army, where he served two years as a surgical technician;*

*Whereas, Bill Cook and his wife, Gayle, founded Cook Incorporated in 1963 in the spare bedroom of their apartment in Bloomington, and it became the first American company to introduce to United States physicians the matched set of needle, wire guide, and catheter needed to perform the percutaneous vascular entry procedure known as the Seldinger technique;*

*Whereas, This revolutionary, nonsurgical technique created the medical science of interventional medicine, virtually eliminating exploratory surgery and opening new vistas for physicians to diagnose and treat patients in a minimally invasive manner with greatly reduced trauma and risk;*

*Whereas, Cook Incorporated and other Cook Group companies have steadfastly adhered to a corporate code of ethics that puts patient needs first and pursued new medical technologies not solely for profit, but also with the broader goal of improving health and helping people live healthier lives through Cook technologies;*

*Whereas, The Cook Group companies have grown continually for 50 years in both revenue and employment, expanding from just two employees in 1963 to more than 11,000 worldwide;*

*Whereas, Today, it is the world's largest family-owned medical device manufacturer;*

*Whereas, As it grew, the company evolved from serving a single medical specialty and manufacturing a handful of products for United States sale into a global entity selling more than 16,000 different products in 135 countries;*

*Whereas, Millions of patients have had their diseases treated, have had their lives extended, and have seen new life created through the innovation and ingenuity of Cook Group's skilled and highly dedicated employees;*

*Whereas, The company contributes significantly through investment and stable economic growth to each community*

*where Cook Group expands, greatly and directly enhancing numerous communities in Indiana where Cook Group businesses are located, including Bloomington, Spencer, West Lafayette, West Baden, French Lick, and Indianapolis;*

*Whereas, These businesses today employ more than 6,200 Hoosiers and help make Indiana a national leader in the growing life sciences industry;*

*Whereas, Cook Group has steadfastly supported efforts aimed at improving public health and access to health care in Indiana through its sustained support for the YMCA in Monroe County, through contributions to build an angiography lab at Bloomington Hospital, and generous support of the Monroe County chapter of Volunteers in Medicine, which provides health care to low-income patients in the south-central Indiana region;*

*Whereas, Cook Group passionately pursues a monumental goal of sustainable historic preservation and renovation, which is a key philosophy of the Cook family and Cook Group;*

*Whereas, Cook Group's generosity has led to the restoration of such historic landmarks in Indiana as the West Baden Springs Hotel and French Lick Springs Hotel, Old Centrum Church, Tivoli Theater, Yoho General Store, Beck's Mill, Cedar Farms, Showers Plaza, Grant Street Inn, Fountain Square Mall, Cochran House, Colonel William Jones House, Graham Plaza, Illinois Central Railroad Freight Depot, Laconia General Store, and the Hay Press;*

*Whereas, These restoration projects all have been done with the goal of returning these properties to a state of economic sustainability, further enhancing the economic base of the communities in which they are located;*

*Whereas, Cook Group contributed enormously to the musical education and well-being of talented youth through its generous support of the Star of Indiana Drum and Bugle Corps, which won the Drum Corps International World Championship in 1991;*

*Whereas, Moving beyond the competitive performance field, Cook Group and its associates within Star of Indiana created a unique, stage-based musical concept, BLAST!, that won both Tony and Emmy awards and brought international acclaim to the musical and theatrical expertise and talent found within the Hoosier state;*

*Whereas, The Cook family and Cook Group companies have donated generously to support Indiana's institutions of higher learning, including numerous capital construction projects;*

*Whereas, At Indiana University, these donations include Cook Hall and the William and Gayle Cook Music Library; for Rose-Hulman Institute of Technology, Cook Group donated the stadium lights, a bioresearch greenhouse, and other improvements; and*

*Whereas, In addition, both Bill Cook and Cook Group Chairman Steve Ferguson have generously donated their time, energy, and talents to serve as trustees at Indiana University, and other senior Cook Group executives have held similar posts at other Indiana colleges and universities, helping lead Hoosier scholarly institutions to an ever-higher position of academic achievement and excellence: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the Indiana General Assembly urges the Indiana Department of Transportation to rename a section of State Road 56 from Haysville to Paoli the "William Alfred 'Bill' Cook Highway" to honor and remember his many accomplishments and contributions to Indiana and the world.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the commissioner of the Indiana Department of Transportation, Gayle Cook, Carl Cook, and the leadership and employees of Cook Group.

The resolution was read a first time and referred to the Committee on Roads and Transportation.

### House Concurrent Resolution 15

Representatives Kersey, Morrison, Heaton, Borders and Klinker introduced House Concurrent Resolution 15:

A CONCURRENT RESOLUTION commemorating the founding of Indiana State University.

*Whereas, Tuesday, February 3, 2015, marks the 150th anniversary of the introduction of the legislation that established the "Indiana State Normal School";*

*Whereas, On February 3, 1865, Representative Baskin Rhoads, of Vermillion County, introduced House Bill 119 providing for the establishment of a State Normal School, "the object of which shall be the preparation of teachers for teaching in the common schools of Indiana";*

*Whereas, The bill received its first reading on February 3 and was referred to the Committee on Education, which recommended passage on February 10, 1865;*

*Whereas, The bill was read for a second time on February 16, and, on March 3, the bill was read a third time and passed by the House;*

*Whereas, The bill did not pass over to the Senate during the regular session, but was taken up during the 1865 Special Session of the General Assembly;*

*Whereas, The bill was referred to the Committee on Education on November 17, was read for the second time on November 30, and, on December 16, was read for the third time and passed by the Senate;*

*Whereas, On December 19 the House concurred with the amendments of the Senate;*

*Whereas, On December 20, 1865, the bill received its final approval, and an emergency was declared to allow the act to take effect immediately upon passage;*

*Whereas, Through the years, the school has had several name changes;*

*Whereas, The Indiana State Normal School became the Indiana State Teachers College in 1929, was renamed Indiana State College in 1961, and changed again, to Indiana State University, in 1965 to reflect its growth and development;*

*Whereas, Indiana State University spawned two of Indiana's other public universities;*

*Whereas, Ball State University was known as the Eastern Division of the Indiana State Normal School from 1918 until 1929, when it became the Ball State Teachers College, and the University of Southern Indiana began as a regional campus of Indiana State University opening in September 1965 until legislation was signed in 1985 making it a separate university; and*

*Whereas, Since its founding in 1865, Indiana State University has served an important role in the state's higher education system and has become a national leader with its academic programs as well as its commitment to community service: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the Indiana General Assembly recognizes Indiana State University on the occasion of the 150th anniversary of its founding and expresses its appreciation for the dedication to the students and the community the university has exhibited through the years.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Indiana State University President Dr. Daniel J. Bradley.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Ford.

### Senate Concurrent Resolution 8

The Speaker handed down Senate Concurrent Resolution 8, sponsored by Representative Niezgodski:

A CONCURRENT RESOLUTION honoring Dana Strabavy as an exemplary middle school counselor.

*Whereas, Dana Strabavy of LaSalle Intermediate Academy was named Indiana Middle School Counselor of the Year by the Indiana School Counselor Association;*

*Whereas, Dana Strabavy has been a school counselor at LaSalle Intermediate Academy for five years, where she previously taught social studies;*

*Whereas, Originally from Hammond, Indiana, Dana graduated from Ball State University Teacher's College in 2004;*

*Whereas, During her time as a social studies teacher, Dana Strabavy was inspired by the work of the then counselor at LaSalle, and decided to pursue a Master's Degree in School Counseling from Indiana University South Bend;*

*Whereas, Dana Strabavy's compassion, sincerity, and character and her use of the latest techniques in school counseling, has made her an essential part of her students' success and academic achievement;*

*Whereas, Dana Strabavy has previously received both Gold Star and RAMP recognition for her outstanding comprehensive school counseling program; and*

*Whereas, It is fitting that excellent school counselors be given widespread recognition: Therefore,*

*Be it resolved by the Senate  
of the General Assembly of the State of Indiana,  
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly recognizes and honors Dana Strabavy as an exemplary middle school counselor.

SECTION 2. That copies of this resolution be transmitted by the Secretary of the Senate to Dana Strabavy.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

### Senate Concurrent Resolution 10

The Speaker handed down Senate Concurrent Resolution 10, sponsored by Representatives Niezgodski, Dvorak, Bauer and DeVon:

A CONCURRENT RESOLUTION recognizing and honoring the city of South Bend on its 150<sup>th</sup> anniversary.

*Whereas, South Bend, Indiana was platted and named the county seat in 1831, incorporated in 1835, and chartered in 1865;*

*Whereas, Native American tribes originally occupied the area for the rich food and natural resources found along the St.*

*Joseph river;*

*Whereas, In 1820, Pierre Navarre was the first European to permanently settle in the area. Navarre trapped and traded furs and opened a standing trading post;*

*Whereas, In 1842, Father Edward Sorin reached South Bend to found the University of Notre Dame. Father Sorin had been given 600 acres to found a college for seminary and secular students;*

*Whereas, In 1865, South Bend was incorporated as a city, and William G. George was elected as South Bend's first mayor;*

*Whereas, The latter half of the 19<sup>th</sup> century saw South Bend gain a telephone exchange, the first electric streetcar system in the United States, brick paved streets, and various businesses, including manufacturing;*

*Whereas, The 20<sup>th</sup> century saw continued growth for South Bend. In 1900, the population of South Bend had reached 35,999. By 1960, the population had reached 132,445;*

*Whereas, The 1920s, 1930s, and 1940s saw industry boom in South Bend. As the 20<sup>th</sup> century wore on, the city went through a period of urban renewal during the 1960s and 1970s. Currently, South Bend is reinventing itself to attract a talented workforce and develop more jobs; and*

*Whereas, As South Bend moves forward, the city embarks on a new era in its storied history: Therefore,*

*Be it resolved by the Senate  
of the General Assembly of the State of Indiana,  
the House of Representatives concurring:*

SECTION 1. That the General Assembly recognizes and honors the city of South Bend, Indiana, on the occasion of its 150<sup>th</sup> anniversary.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the city of South Bend.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

### Senate Concurrent Resolution 15

The Speaker handed down Senate Concurrent Resolution 15, sponsored by Representatives Saunders and Brown, C:

A CONCURRENT RESOLUTION honoring husband and wife John Cardwell and Nancy Griffin for their many years of hard work on behalf of Indiana senior citizens and their unique health care needs.

*Whereas, John Cardwell and Nancy Griffin married after working closely with one another on various public policy issues for many years;*

*Whereas, Throughout her career, Nancy has effectively lobbied the Indiana General Assembly to preserve funding for home and community based long-term care services, and co-wrote the first Medicaid waiver application for Indiana to gain federal funding for home and community based service, creating opportunities for people with intellectual and/or developmental disabilities to live in their own homes and communities across the state;*

*Whereas, Nancy has served as Director of the Volunteer Advocates Program for the Center for At-Risk Elders, State Director of AARP Indiana, and Executive Director of the Indianapolis Resource Center for Independent Living;*

*Whereas, In 1981, John joined the Citizens Action Coalition of Indiana as a community organizer and policy research specialist, he established CAC's Indiana Health Care*

*Campaign, and for the last 17 years of his 24 years with the organization, he served as its legislative director and program director of its sister organization, the CAC Education Fund;*

*Whereas, During his legislative and program tenure for CAC he was elected in 1986 as the chairperson of the Indiana Home Care Task Force, Indiana's largest coalition of health care consumers, senior citizens, and persons with disabilities;*

*Whereas, Legislation that John authored in part or in full includes the 1987 CHOICE home care program; the 1991 Family and Social Services Administration Act; the 2003 Home and Community Based Services Reform Act; and a wide array of language in state budget acts to fund and expand home health care programs, adult protective services, and other laws affecting home care and human services;*

*Whereas, In 2001, with the help of Duane Etienne, John founded a project within CACEF that became an independent organization known as The Generations Project; and*

*Whereas, It is fitting that the Indiana General Assembly give special recognition to John Cardwell and Nancy Griffin for their generous contributions to health care policy on behalf of Indiana senior citizens: Therefore,*

*Be it resolved by the Senate  
of the General Assembly of the State of Indiana,  
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly recognizes John Cardwell and Nancy Griffin for their many years of hard work on behalf of Indiana senior citizens and their unique health care needs.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to John Cardwell and Nancy Griffin.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

## **ENGROSSED HOUSE BILLS ON THIRD READING**

### **Engrossed House Bill 1080**

Representative Macer called down Engrossed House Bill 1080 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public employee benefits.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 51: yeas 93, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Boots.

### **Engrossed House Bill 1208**

Representative Arnold called down Engrossed House Bill 1208 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 52: yeas 93, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Messmer.

### **Engrossed House Bill 1263**

Representative Smith, M, called down Engrossed House Bill 1263 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 53: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Walker.

### **Engrossed House Bill 1335**

Representative Stemler called down Engrossed House Bill 1335 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 54: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Grooms.

### **Engrossed House Bill 1456**

Representative Zent called down Engrossed House Bill 1456 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 55: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Glick and Banks.

Representative Lawson, who had been excused, is now present.

### **Engrossed House Bill 1497**

Representative Beumer called down Engrossed House Bill 1497 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 56: yeas 77, nays 17. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Boots.

The House recessed until the fall of the gavel.

## **RECESS**

The House reconvened at 4:08

Representative Dvorak, who had been excused, is now present.

## REPORTS FROM COMMITTEES

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1042, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 6, delete "Frank O'Bannon grants or twenty-first" and insert **"state financial aid administered by the commission for higher education."**

Page 1, delete line 7.

Page 1, line 10, after "institution" insert **"that receives education loan information for a student enrolled in the eligible institution"**.

Page 1, line 10, delete "each" and insert **"to that"**.

Page 1, line 10, after "student" insert **"the following information:"**.

Page 1, delete line 11.

Page 1, line 12, delete "an" and insert **"An"**.

Page 1, line 13, delete ";" and insert **"."**.

Page 1, delete lines 14 through 15.

Page 2, delete line 1.

Page 2, line 2, delete "(3) an" and insert **"(2) An"**.

Page 2, line 2, after "of" insert **"**:

**(A) the potential total payoff amount of the education loans incurred or a range of the total payoff amount; and  
(B)"**.

Page 2, line 2, after "amounts" insert **"that a similarly situated borrower may incur, including principal and interest,"**.

Page 2, line 4, delete ";" and insert **"."**.

Page 2, between lines 4 and 5, begin a new line single block indented and insert:

**"The information provided under this subdivision may include a statement that the estimates and ranges provided are general in nature and not meant as a guarantee or promise of the actual projected amount."**

Page 2, line 5, delete "(4) the" and insert **"(3) The"**.

Page 2, after line 8, begin a new paragraph and insert:

**"(c) An eligible institution does not incur liability for any representations made under this section."**

(Reference is to HB 1042 as introduced.)  
and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

BEHNING, Chair

Report adopted.

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1093, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 4, delete "Disabilities Diagnosed" and insert **"Conditions Diagnosed Prenatally"**.

Page 1, delete line 5.

Page 1, line 6, after "1." insert **"(a)"**.

Page 1, line 7, delete "and".

Page 1, line 8, delete "postnatal".

Page 1, line 8, delete "disability and" and insert **"condition diagnosed prenatally"**.

Page 1, delete lines 10 through 11.

Page 1, line 12, delete "(2)" and insert **"(1)"**.

Page 1, line 13, delete "or postnatal".

Page 1, line 14, delete "disability." and insert **"condition diagnosed prenatally."**

Page 1, line 15, delete "(3)" and insert **"(2)"**.

Page 1, line 15, delete "engage in discrimination based" and insert **"implicitly or explicitly reference pregnancy termination."**

Page 2, delete lines 1 through 5.

Page 2, line 6, delete "(4)" and insert **"(3)"**.

Page 2, line 7, delete "and" and insert **"."**.

Page 2, delete lines 8 through 18.

Page 2, line 19, delete "(B) A", begin a new line block indented and insert:

**"(4) The information includes"**.

Page 2, line 19, after "for" insert **"state and local advocacy organizations that advocate for people with intellectual and other developmental disabilities, including Down syndrome and other conditions diagnosed prenatally. The information may include information hotlines, resource centers, Internet web sites, and clearinghouses."**

Page 2, delete lines 20 through 22, begin a new paragraph and insert:

**"(b) The state department may approve material submitted by state and local advocacy organizations that advocate for people with intellectual and other developmental disabilities, including Down syndrome and other conditions diagnosed prenatally, if the information meets the criteria required in subsection (a). The information may include information hotlines, resource centers, Internet web sites, and clearinghouses."**

Page 2, line 24, delete "Provide" and insert **"Approve"**.

Page 2, line 25, delete "to:" and insert **"for use by:"**.

Page 2, line 27, delete ", postnatal care,".

Page 2, line 29, delete "disability;" and insert **"condition diagnosed prenatally;"**.

Page 2, line 31, delete "disability." and insert **"condition diagnosed prenatally."**

Page 2, line 35, delete "disability" and insert **"condition diagnosed prenatally"**.

Page 2, line 37, delete "disability" and insert **"condition diagnosed prenatally"**.

Page 2, line 38, delete "provided or" and insert **"approved and"**.

Page 2, delete lines 40 through 42.

Delete page 3.

(Reference is to HB 1093 as introduced.)  
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

CLERE, Chair

Report adopted.

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred House Bill 1240, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1240 as introduced.)

Committee Vote: Yeas 12, Nays 0.

EBERHART, Chair

Report adopted.

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1360, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1360 as introduced.)

Committee Vote: Yeas 10, Nays 0.

CLERE, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1486, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1486 as introduced.)

Committee Vote: Yeas 9, Nays 4.

BEHNING, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1495, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 15.

Delete pages 2 through 3.

Page 4, delete lines 1 through 26.

Page 5, delete lines 2 through 6, begin a new paragraph and insert:

**"(e) A permit to move, or transfer title to, a mobile home that is issued under this section expires thirty (30) days after the date the permit is issued. The permit is invalid after the permit expires. If the owner wishes to move, or transfer title to, the mobile home after the permit has expired, the owner must obtain a new permit under this section."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1495 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

PRICE, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred House Bill 1501, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1501 as introduced.)

Committee Vote: Yeas 12, Nays 0.

EBERHART, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1505, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, line 42, after "voters" insert ".".

Page 3, line 42, delete "but at least three hundred (300) signatures."

Page 4, line 4, after "voters" insert ".".

Page 4, line 4, delete "but at least seven hundred fifty (750) signatures."

Page 4, line 7, after "voters" insert ".".

Page 4, line 4, delete "but at least two thousand five hundred (2,500)".

Page 4, delete line 8.

(Reference is to HB 1505 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

PRICE, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred House Bill 1545, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1545 as introduced.)

Committee Vote: Yeas 12, Nays 0.

EBERHART, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1549, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, between lines 18 and 19, begin a new paragraph and insert:

"SECTION 4. IC 26-3-7-3, AS AMENDED BY P.L.75-2010, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) The director may do the following:

(1) Require any reports that are necessary to administer this chapter.

(2) Administer oaths, issue subpoenas, compel the attendance and testimony of witnesses, and compel the production of records in connection with any investigation or hearing under this chapter.

(3) Prescribe all forms within the provisions of this chapter.

(4) Establish grain standards in accordance with the grain standards act and federal regulations promulgated under that act that must be used by warehouses.

(5) Investigate the activities required by this chapter including the storage, shipping, marketing, and handling of grain and complaints with respect to the storage, shipping, marketing, and handling of grain.

(6) Inspect a facility, the grain stored in a facility, and all property and records pertaining to a facility. All inspections of an applicant or licensee under this chapter must take into consideration the proprietary nature of an applicant's or licensee's commercial information. The director may adopt rules under IC 4-22-2 regarding inspections permitted under this chapter, and the rules must take into consideration the proprietary nature of an applicant's or a licensee's commercial information. This chapter does not authorize the inspection of an applicant's or licensee's trade secret or intellectual property information.

(7) Determine whether a facility for which a license has been applied for or has been issued is suitable for the proper storage, shipping, and handling of the grain that is stored, shipped, or handled, or is expected to be stored, shipped, or handled.

(8) Require a licensee to terminate storage, shipping, marketing, and handling agreements upon revocation of the person's license.

(9) Attend and preside over any investigation or hearing allowed or required under this chapter.

(10) Impose sanctions for violations of this article.

(11) Require a grain buyer and all persons purchasing grain to show evidence of training or licensing on the risks associated with grain marketing practices only if a grain buyer engages in a risk factor higher than a standard



defined by the director. This training or licensing may include requiring the grain buyer or person purchasing grain to do any of the following:

(A) Provide the agency with proof of registry with the commodity futures trading commission (CFTC) as a commodity trading adviser, a futures commission merchant, an introducing broker, or an associated person.

(B) Demonstrate passage of the series 3 examination administered by the National **Futures Association of Security Dealers**.

(C) Annually attend six (6) hours of continuing education, approved by the director, focusing on the risks to a grain buyer and seller that are associated with grain marketing practices and the communication of risks to the producer. Additionally, as part of continuing education, require a grain buyer, and all persons purchasing grain for a grain buyer, to pass a test, approved and administered by the director, that reasonably measures the grain buyer's understanding of the risks to grain buyers and sellers associated with producer marketing strategies.

(12) Require all contracts executed after June 30, 1997, for the purchase of grain from producers, except a flat price contract or a contract for the production of seed, to include the following notice immediately above the place on the contract where the seller of the grain must sign:

"NOTICE - SELLER IS CAUTIONED THAT CONTRACTING FOR THE SALE AND DELIVERY OF GRAIN INVOLVES RISKS. THESE RISKS MAY INCLUDE FUTURE PAYMENTS BY YOU TO MAINTAIN THIS CONTRACT, A LOWER SALES PRICE, AND OTHER RISKS NOT SPECIFIED. COVERAGE UNDER THE INDIANA GRAIN INDEMNITY PROGRAM IS LIMITED TO 100% OF A LOSS FOR STORED GRAIN AND 80% OF A LOSS FOR OTHER COVERED CONTRACTS. BE SURE YOU UNDERSTAND THE NATURE OF THIS CONTRACT AND THE ASSOCIATED RISKS."

(13) Require all contracts executed after January 1, 2000, for the production of seed to include the following notice, in conspicuous letters, immediately above the place on the contract or an addendum where the seller of the seed must sign:

"NOTICE - IF THE TERMS OF THIS CONTRACT STATE THAT THE CONTRACTOR RETAINS OWNERSHIP OF THE SEED AND ITS PRODUCTS, YOU MAY NOT BE ELIGIBLE FOR PARTICIPATION IN THE INDIANA GRAIN INDEMNITY PROGRAM. TO BE ELIGIBLE TO PARTICIPATE IN THE INDIANA GRAIN INDEMNITY PROGRAM, FARMERS MUST OWN AND SELL GRAIN OR SEED. BE SURE YOU UNDERSTAND THE NATURE OF THIS CONTRACT AND THE ASSOCIATED RISKS."

(14) At any time, order an unannounced audit for compliance with this article.

(15) Adopt rules under IC 4-22-2 to carry out the purposes and intent of this chapter.

(16) Require all grain buyers offering deferred pricing, delayed payments, or contracts linked to the commodity futures or commodity options market in connection with a grain purchase to document the agreement in writing not more than twenty-one (21) days after delivery.

(b) The director shall do the following:

(1) Establish standards to ensure that a grain buyer has a suitable financial position to conduct a business as a grain buyer.

(2) Require a person who conducts business as a grain

buyer to first be licensed by the agency.

(3) Require any person engaged in the business of advising producers on grain marketing for hire to:

(A) register with the agency; and

(B) provide the agency with proof of registry with the commodity futures trading commission (CFTC) as a commodity trading adviser, a futures commission merchant, an introducing broker, or an associated person.

(c) The director may designate an employee to act for the director in the administration of this chapter. A designee may not:

(1) act in matters that require a public hearing or the temporary suspension of a license;

(2) adopt rules; or

(3) act as the ultimate authority in the administration of this chapter.

(d) The director may determine whether geographically separate facilities constitute a single warehouse or grain buyer and in making the determination may consider the following:

(1) The number of facilities involved.

(2) Whether full weighing equipment is present at the geographically separate facilities.

(3) The method of bookkeeping employed by the separate facilities.

(4) The hours of operation of the separate facilities.

(5) The personnel employed at the separate facilities.

(6) Other factors the director deems relevant.

(e) The director and the director's designees shall become members of the national grain regulatory organization and shall:

(1) work in partnership with other state grain regulatory officials;

(2) participate in national grain regulatory meetings; and

(3) provide expertise and education at national meetings."

Renumber all SECTIONS consecutively.

(Reference is to HB 1549 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

LEHE, Chair

Report adopted.

#### MINORITY COMMITTEE REPORT

Mr. Speaker: A minority of your Committee on Education, which met on February 2, 2015, to consider House Bill 1609, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, reset in roman line 10.

Page 2, delete lines 11 through 18.

Renumber all SECTIONS consecutively.

(Reference is to HB 1609 as introduced.)

and when so amended that said bill do pass.

AUSTIN

Upon request of Representatives Pelath and Porter, the Speaker ordered the roll of the House to be called. Roll Call 57: yeas 28, nays 60. Motion rejected.

The question was on the committee report on HB 1609.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1609, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1609 as introduced.)

Committee Vote: Yeas 8, Nays 3.

BEHNING, Chair

Report adopted.

Representative Wesco is now excused.

## HOUSE BILLS ON SECOND READING

### House Bill 1045

Representative Morrison called down House Bill 1045 for second reading. The bill was read a second time by title.

#### HOUSE MOTION (Amendment 1045-3)

Mr. Speaker: I move that House Bill 1045 be amended to read as follows:

Page 4, after line 32, begin a new paragraph and insert:

"SECTION 6. [EFFECTIVE JULY 1, 2015] (a) **The department of insurance and the state personnel department shall study and determine whether the state may purchase or provide coverage for individuals who sustain injuries in connection with the individual's:**

- (1) authorized presence in a particular location; or**
- (2) contact with a person;**

**that is immune under state law from liability for the individual's injuries.**

**(b) The study required by subsection (a) must include the following:**

- (1) A determination of whether:**

- (A) commercial insurance coverage is available; and**
- (B) a risk pool administered by the state could be created;**

**to provide an individual described in subsection (a) with coverage for costs associated with an injury that are in excess of two thousand five hundred dollars (\$2,500) and not more than twenty-five thousand dollars (\$25,000).**

- (2) Address any subrogation issues related to the coverage.**

**(c) The state personnel department shall, not later than November 1, 2015, report the results of the study performed under this SECTION, including any recommendations for legislative action, to the legislative council in an electronic format under IC 5-14-6.**

**(d) This SECTION expires January 1, 2016."**

(Reference is to HB 1045 as printed January 27, 2015.)

DELANEY

Upon request of Representatives Pelath and Porter, the Speaker ordered the roll of the House to be called. Roll Call 58: yeas 33, nays 61. Motion failed.

#### HOUSE MOTION (Amendment 1045-1)

Mr. Speaker: I move that House Bill 1045 be amended to read as follows:

Page 2, line 1, delete "approved" and insert "**approved:**

- (1) elementary school (as defined under IC 20-18-2-4);**
- (2) secondary school (as defined under IC 21-12-1-5);**
- or**
- (3) postsecondary school (as defined under IC 21-7-13-6);"**

Page 2, line 1, delete "postsecondary educational institution (as defined in".

Page 2, line 2, delete "IC 21-7-13-6)".

Page 3, line 2, delete "approved" and insert "**approved:**

- (1) elementary school (as defined under IC 20-18-2-4);**
- (2) secondary school (as defined under IC 21-12-1-5);**
- or**
- (3) postsecondary school (as defined under IC 21-7-13-6)."**

Page 3, line 2, delete "postsecondary educational".

Page 3, delete line 3.

(Reference is to HB 1045 as printed January 27, 2015.)

MCMILLIN

Motion prevailed. The bill was ordered engrossed.

### House Bill 1140

Representative Richardson called down House Bill 1140 for second reading. The bill was read a second time by title.

#### HOUSE MOTION (Amendment 1140-1)

Mr. Speaker: I move that House Bill 1140 be amended to read as follows:

Page 2, after line 16, begin a new paragraph and insert:

"SECTION 2. IC 3-11-4-18, AS AMENDED BY P.L.194-2013, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 18. (a) If a voter satisfies any of the qualifications described in IC 3-11-10-24 that entitle a voter to cast an absentee ballot by mail, the county election board shall, at the request of the voter, mail the official ballot, postage fully prepaid, to the voter at the address stated in the application.

(b) If the county election board mails an absentee ballot to a voter required to file additional documentation with the county voter registration office before voting by absentee ballot under this chapter, the board shall include a notice to the voter in the envelope mailed to the voter under section 20 of this chapter. The notice must inform the voter that the voter must file the additional documentation required under IC 3-7-33-4.5 with the county voter registration office not later than noon on election day for the absentee ballot to be counted as an absentee ballot, and that, if the documentation required under IC 3-7-33-4.5 is filed after noon and before ~~6 p.m.~~ **8 p.m.** on election day, the ballot will be processed as a provisional ballot. The commission shall prescribe the form of this notice under IC 3-5-4-8.

(c) Except as provided in this subsection, section 18.5 of this chapter, or IC 3-11-10-26.5, the ballot shall be mailed:

- (1) on the day of the receipt of the voter's application; or
- (2) not more than five (5) days after the date of delivery of the ballots under section 15 of this chapter;

whichever is later. If the election board determines that the county voter registration office has received an application from the applicant for registration at an address within the precinct indicated on the application, and the election board determines that this application is pending under IC 3-7-33, the ballot shall be mailed on the date the county voter registration office indicates under IC 3-7-33-5(f) that the applicant is a registered voter.

(d) As required by 42 U.S.C. 15481, an election board shall establish a voter education program (specific to a paper ballot or optical scan ballot card provided as an absentee ballot under this chapter) to notify a voter of the effect of casting multiple votes for a single office.

(e) As provided by 42 U.S.C. 15481, when an absentee ballot is mailed under this section, the mailing must include:

- (1) information concerning the effect of casting multiple votes for an office; and
- (2) instructions on how to correct the ballot before the ballot is cast and counted, including the issuance of replacement ballots.

SECTION 3. IC 3-11-8-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. The polls in each precinct open at 6 a.m. and close at ~~6 p.m.~~ **8 p.m.** on election day.

SECTION 4. IC 3-11-10-11, AS AMENDED BY P.L.221-2005, SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 11. (a) On election day each circuit court clerk (or an agent of the clerk) shall visit the appropriate post office to accept delivery of absentee envelopes at the latest possible time that will permit delivery of the ballots to the appropriate precinct election boards before ~~6 p.m.~~ **8 p.m.**

(b) Not later than noon on election day, the county voter registration office shall visit the appropriate post office to accept delivery of mail containing documentation submitted by a voter

to comply with IC 3-7-33-4.5. The office shall immediately notify the county election board regarding the filing of this documentation to permit the board to provide certification of this filing to the appropriate precinct election boards before ~~6 p.m.~~ **8 p.m.**

SECTION 5. IC 3-11-14-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 19. Each county election board shall be at its office from 5 a.m. until ~~6 p.m.~~ **8 p.m.** on election day. Upon notice that an electronic voting system is out of order or fails to work, the board shall be ready between those hours to deliver to any precinct in the county:

- (1) necessary paper ballots;
- (2) election booths with an adequate number of stalls;
- (3) ballot boxes; and
- (4) all necessary supplies and equipment as required by law.

SECTION 6. IC 3-12-4-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) At ~~6 p.m.~~ **8 p.m.** on each election day, the county election board shall assemble in a room to canvass the certificates, poll lists, and tally papers returned by each inspector in the county and to declare the results of the election as provided in this chapter.

(b) The canvassing must be performed in public under IC 5-14-1.5. However, the board may restrict access to parts of the room where election material is being handled or transported to safeguard the material.

(c) Except as provided in section 7 of this chapter, the county executive shall provide a room in the courthouse that contains adequate space to permit members of the public to witness the canvassing of votes."

Renumber all SECTIONS consecutively.

(Reference is to HB 1140 as printed January 30, 2015.)

GIAQUINTA

Upon request of Representatives Pelath and Porter, the Speaker ordered the roll of the House to be called. Roll Call 59: yeas 30, nays 65. Motion failed. The bill was ordered engrossed.

#### House Bill 1183

Representative Davisson called down House Bill 1183 for second reading. The bill was read a second time by title.

HOUSE MOTION

(Amendment 1183-1)

Mr. Speaker: I move that House Bill 1183 be amended to read as follows:

Page 6, line 30, delete "or" and insert ",".

Page 6, line 30, after "assistant's" insert ", or advance practice nurse's".

(Reference is to HB 1183 as printed January 30, 2015.)

DAVISSON

Motion prevailed. The bill was ordered engrossed.

#### House Bill 1185

Representative Bauer called down House Bill 1185 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### House Bill 1278

Representative Lehman called down House Bill 1278 for second reading. The bill was read a second time by title.

HOUSE MOTION

(Amendment 1278-1)

Mr. Speaker: I move that House Bill 1278 be amended to read as follows:

Page 3, between lines 26 and 27, begin a new paragraph and insert:

**"(c) A transportation network company shall maintain motor vehicle insurance to ensure that if coverage purchased by the owner of a motor vehicle lapses or terminates for any reason, the motor vehicle insurance**

**maintained by the transportation network company will cover any claim contemplated by subsection (a)."**

(Reference is to HB 1278 as printed January 30, 2015.)

DELANEY

Upon request of Representatives Pelath and Lawson, the Speaker ordered the roll of the House to be called. Roll Call 60: yeas 29, nays 65. Motion failed. The bill was ordered engrossed.

#### House Bill 1286

Representative Burton called down House Bill 1286 for second reading. The bill was read a second time by title.

HOUSE MOTION

(Amendment 1286-1)

Mr. Speaker: I move that House Bill 1286 be amended to read as follows:

Page 3, line 5, after "of" insert "**at least**".

Page 12, line 24, after "of" insert "**at least**".

(Reference is to HB 1286 as printed January 27, 2015.)

BURTON

Motion prevailed. The bill was ordered engrossed.

#### House Bill 1302

Representative McMillin called down House Bill 1302 for second reading. The bill was read a second time by title.

HOUSE MOTION

(Amendment 1302-1)

Mr. Speaker: I move that House Bill 1302 be amended to read as follows:

Page 2, delete lines 23 through 24, begin a new line block indented and insert:

**"(4) (5) any other known identifying information, such as:**

**(A) the name of the arresting officer;**

**(B) case number or court cause number;**

**(C) any aliases or other names used by the petitioner;**

**(D) the petitioner's driver's license number; and**

**(E) a list of each criminal charge and its disposition, if applicable;"**

Page 3, between lines 32 and 33, begin a new paragraph and insert:

**"(g) If the court issues an order granting a petition for expungement under this section, the order must include the information described in subsection (c)."**

Page 3, line 33, delete "(g)" and insert "(h)".

Page 3, line 40, delete "(h)" and insert "(i)".

Page 4, between lines 22 and 23, begin a new line block indented and insert:

**"(4) The case number or court cause number."**

Page 4, line 23, strike "(4)" and insert "(5)".

Page 4, line 25, strike "(5)" and insert "(6)".

Page 4, line 27, strike "(6)" and insert "(7)".

Page 4, line 30, strike "(7)" and insert "(8)".

Page 4, line 33, strike "(8)" and insert "(9)".

Page 4, line 36, strike "(9)" and insert "(10)".

Page 4, line 38, strike "(10)" and insert "(11)".

Page 5, between lines 36 and 37, begin a new paragraph and insert:

**"(g) The order granting the petition for expungement described in sections 6 and 7 of this chapter must include the information described in section 8(b) of this chapter."**

Page 5, line 37, strike "(g)" and insert "(h)".

Page 6, line 5, strike "(h)" and insert "(i)".

Page 6, line 9, strike "(i)" and insert "(j)".

Page 6, line 9, strike "(j)," and insert "(k)".

Page 6, line 15, strike "(i)" and insert "(j)".

Page 6, line 23, strike "(j)," and insert "(k)".

Page 6, line 26, strike "(j)" and insert "(k)".

Page 6, line 31, strike "(g)" and insert "(h)".

Page 6, line 31, strike "(h);" and insert "(i);".  
 Page 6, line 32, strike "(g)" and insert "(h)".  
 Page 6, line 32, strike "(h)" and insert "(i)".  
 (Reference is to HB 1302 as printed January 30, 2015.)  
 MCMILLIN

Motion prevailed. The bill was ordered engrossed.

### House Bill 1338

Representative Beumer called down House Bill 1338 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Friend.

### House Bill 1340

Representative Lehman called down House Bill 1340 for second reading. The bill was read a second time by title.

#### HOUSE MOTION (Amendment 1340-1)

Mr. Speaker: I move that House Bill 1340 be amended to read as follows:

Page 17, line 39, delete "Subject to section 3 of this chapter, the" and insert "**The**".

Page 18, delete lines 12 through 33.

Page 18, line 34, delete "4." and insert "**3.**".

Page 19, line 13, delete "5." and insert "**4.**".

Page 20, line 41, delete "6." and insert "**5.**".

Page 21, line 8, delete "7." and insert "**6.**".

Page 21, line 14, delete "as described in section 3(b)(2) of" and insert "**to ensure that the amount of any charge does not grossly exceed the value of the services provided or costs incurred by the CPAP provider in consideration of the charge.**".

Page 21, delete line 15.

(Reference is to HB 1340 as printed January 30, 2015.)  
 EBERHART

Motion withdrawn.

#### HOUSE MOTION (Amendment 1340-3)

Mr. Speaker: I move that House Bill 1340 be amended to read as follows:

Page 17, line 32, after "1." insert "**Subject to section 3(b) of this chapter, the total funded amount in a CPAP transaction in connection with any one (1) civil proceeding may not exceed five thousand dollars (\$5,000).**".

Page 18, line 33, delete "(a)." and insert "**(a) or the limitation on the funded amount set forth in section 1 of this chapter.**".

(Reference is to HB 1340 as printed January 30, 2015.)  
 WASHBURN

Motion prevailed.

#### HOUSE MOTION (Amendment 1340-4)

Mr. Speaker: I move that House Bill 1340 be amended to read as follows:

Page 12, line 38, after "the CPAP" insert "**provider shall, not later than three (3) days after the CPAP contract is executed by the CPAP provider and the consumer claimant, send to the consumer claimant's attorney by insured, certified, or registered United States mail a written notice that:**

**(1) states that a CPAP contract has been entered into by the consumer claimant and the CPAP provider;**

**(2) directs the consumer claimant's attorney to disburse to the CPAP provider through:**

**(A) a trust account of the consumer claimant's attorney; or**

**(B) a settlement fund established to receive the proceeds of the civil proceeding on behalf of the consumer claimant;**

**any proceeds of the consumer claimant's civil proceeding that the CPAP provider may receive under IC 24-4.3-4-4(c); and**

**(3) includes the name under which the CPAP provider does business, an address to which the consumer claimant's attorney may address correspondence, and the contact information for the CPAP provider's employee or agent with whom the consumer claimant's attorney may correspond.**".

Page 12, delete lines 39 through 42.

Page 13, delete lines 1 through 28.

Page 16, line 9, delete "OR".

Page 16, line 10, delete "YOUR ATTORNEY".

Page 16, line 30, after "or" insert "**, subject to the consent of the consumer claimant's attorney, from**".

Page 16, line 35, after "or" insert "**, subject to the consent of the consumer claimant's attorney, by**".

Page 18, line 36, delete "claimant and the consumer claimant's attorney," and insert "**claimant,**".

Page 19, line 1, delete "claimant and the consumer claimant's attorney," and insert "**claimant,**".

Page 20, line 20, delete "and the consumer" and insert "**consents in writing to the arrangement and, if the consumer claimant is represented by an attorney in the civil proceeding, each CPAP provider that enters into a CPAP transaction with the consumer claimant provides to the consumer claimant's attorney the written notice required under IC 24-4.3-3-1(c).**".

Page 20, delete line 21.

Page 20, line 25, after "or" insert "**, subject to the consent of the consumer claimant's attorney, from**".

Page 20, line 32, after "or" insert "**, if the consumer claimant's attorney has consented to the requests, to**".

(Reference is to HB 1340 as printed January 30, 2015.)  
 RIECKEN

Motion prevailed. The bill was ordered engrossed.

### House Bill 1396

Representative Soliday called down House Bill 1396 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

### House Bill 1516

Representative Smith, M. called down House Bill 1516 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

### House Bill 1531

Representative Davisson called down House Bill 1531 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

The Speaker Pro Tempore yielded the gavel to the Speaker.

### House Bill 1539

Representative Heaton called down House Bill 1539 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Representative Wesco, who had been excused, is now present.

## ENGROSSED HOUSE BILLS ON THIRD READING

### Engrossed House Bill 1507

Representative VanNatter called down Engrossed House Bill 1507 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 61: yeas 63, nays 33. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Yoder.

### OTHER BUSINESS ON THE SPEAKER'S TABLE

#### Reassignments

The Speaker announced the reassignment of House Bill 1615 from the Committee on Veterans Affairs and Public Safety to the Committee on Public Health.

#### Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that House Bill 1616 had been referred to the Committee on Ways and Means.

#### HOUSE MOTION

Mr. Speaker: I move that Representative Lawson be added as coauthor of House Bill 1067.

HAMM

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three coauthors and that Representatives Baird, Kirchhofer, Eberhart, Leonard, Ubelhor, Rhoads and Braun be added as coauthors of House Bill 1108.

BURTON

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representative Cook be added as coauthor of House Bill 1140.

RICHARDSON

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representatives Ubelhor, Aylesworth and Kersey be added as coauthors of House Bill 1240.

BRAUN

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representative Hale be added as coauthor of House Bill 1261.

SLAGER

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representatives Aylesworth,

Olthoff and DeLaney be added as coauthors of House Bill 1281.

SOLIDAY

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representative Hale be added as coauthor of House Bill 1318.

KOCH

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representatives Frye and Klinker be added as coauthors of House Bill 1335.

STEMLER

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representatives Bacon and Zent be added as coauthors of House Bill 1360.

ERRINGTON

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representative Burton be added as coauthor of House Bill 1394.

SOLIDAY

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representatives Leonard, Ober and Lehe be added as coauthors of House Bill 1453.

EBERHART

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three coauthors and that Representatives Arnold, Gutwein, Judy, Lucas, DeLaney, Harris, Kersey, Pelath, Baird, Price and Soliday be added as coauthors of House Bill 1456.

ZENT

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representatives Austin and Frye be added as coauthors of House Bill 1475.

KARICKHOFF

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as coauthor of House Bill 1490.

MAYFIELD

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representative Koch be added as coauthor of House Bill 1509.

VANNATTER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lawson be added as coauthor of House Bill 1531.

DAVISSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Shackelford be added as coauthor of House Bill 1539.

HEATON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Koch be added as coauthor of House Bill 1579.

VANNATTER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Sullivan and Stemler be added as coauthors of House Bill 1604.

SMALTZ

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Heaton be added as coauthor of House Bill 1605.

SMALTZ

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Ziemke, Macer and McNamara be added as coauthors of House Joint Resolution 3.

DVORAK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bosma be added as cosponsor of Senate Concurrent Resolution 14.

KIRCHHOFFER

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolution 15 and the same is herewith returned to the House.

JENNIFER L. MERTZ

Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 14 and 15 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ

Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bills 2, 5, 8, 10, 16, 25, 26, 33, 38, 59, 62, 94, 113, 118, 123, 137, 143, 166, 168, 171, 173, 175, 193, 197, 199, 207, 216, 217, 293, 298, 311, 318, 332, 339, 352, 354, 369, 374, 419 and 424 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ

Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Ober, the House adjourned at 5:47 p.m., this second day of February, 2015, until Tuesday, February 3, 2015, at 1:30 p.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives